

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

FORREST THOMAS, III

PETITIONER

v.

No. 3:18CV238-DMB-DAS

WARDEN TAYLOR, ET AL.

RESPONDENTS

ORDER LIFTING STAY OF PROCEEDINGS

This matter comes before the court on the motions [27], [29] of the parties to lift the stay the court imposed [18] on October 4, 2019. The court stayed these proceedings pending the outcome of the competency hearing in the state trial court, the outcome of which could potentially be dispositive of the instant petition for a writ of *habeas corpus*. The trial court received the results of the competency examination and has issued findings of fact and conclusions of law based upon it:

The overwhelming weight of the evidence establishes that at the time he entered guilty pleas, Thomas had (1) sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding; and (2) a rational as well as a factual understanding of the proceedings against him. Thus, the Court finds that Thomas was competent at the time he entered his guilty pleas. The Court further finds that Thomas' guilty pleas were freely, knowingly, and voluntarily given with sufficient factual bases.

Exhibit A¹ at 12. Thus, the trial court has conducted a competency hearing and determined that Mr. Thomas was competent at the time he entered his guilty pleas. The Stay of this case is thus no longer necessary and is **LIFTED**.

SO ORDERED, this, the 17th day of March, 2021.

/s/ David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE

¹ The exhibit referenced in this order may be found attached to the State's Eighth Notice [27] of Status and Request to Lift Stay.